

1415.0700 SERVICE AND FILING.

Subpart 1. **Service by state.** The division and the office must serve all notices, findings, orders, decisions, or awards upon the parties by first class mail at their addresses of record, by personal service, or, if authorized by the recipient, by facsimile or electronic mail.

If the division or office has received notice that a party is represented by an attorney, the attorney must be served with all documents. Service on the attorney is considered service on that party, except that all final orders, decisions, awards, orders striking a case from the calendar, continuance orders, and notices of proceedings must also be served directly on the party.

Subp. 1a. **Digitized signatures.** All orders, decisions, awards, or other documents issued by an employee of the office or the division authorized to sign the document may be signed by digitized signature pursuant to Minnesota Statutes, section 176.281. Digitized signatures must be affixed as follows:

A. The signatory must either personally affix, or instruct another office or division employee to affix, a digitized signature to a document or group of documents.

B. The person affixing a digitized signature must ensure that all information required by item C is completed and accurate.

C. A digitized signature must include the typed name and title of the signatory, the date of issuance, and immediately below the typed name and title, a certificate in lieu of original signature. The certificate in lieu of original signature must include certification that the document was approved and issued by the signatory on the date indicated and explain how to confirm the authenticity of the document.

Subp. 2. **Service by parties.** A party may serve documents by first class mail, by personal service, or, if authorized by the recipient, by facsimile or electronic mail. All documents filed in connection with a proceeding at the division or office must be served on all parties and filed, together with an affidavit of service, with the division. If a party is represented by an attorney in the matter, the attorney must be served with all documents. Service on the attorney is considered service on that party, except where Minnesota Statutes, chapter 176, requires otherwise.

Subp. 3. **Computation of time.** Computation of time for service is governed by Minnesota Statutes, section 645.15.

Subp. 4. **Filing with state.**

A. Except as provided in item B, all documents must be filed with the division. Filed documents must be accompanied by an affidavit of service in a form acceptable to the district courts. A document is filed upon its receipt by the division or the office by 4:30

p.m. on a state business day. Documents received after 4:30 p.m. on a state business day are considered filed on the next open state business day.

B. If the document requires attention by the office within two business days, it must be filed with the office. Stipulations for settlement require attention by the office within two business days. Exhibits for video hearings are filed with the office as provided in part 1415.2900, subpart 6. Exhibits submitted while a hearing record is open are filed with the office.

C. Because documents are destroyed after imaging, a party shall retain an original document and file a copy with the division except when filing a notice of appeal, or where the division has notified the party that an original must be filed because the quality or authenticity of a document is at issue. The original notice of appeal under Minnesota Statutes, section 176.421, must be filed with the office and copied to the division. This filing must be by mail or in person. A filing by facsimile or electronic transmission is not effective.

Subp. 5. **Electronic or fax filing.** A party is authorized to file a document with the office or the division by facsimile if the document is 15 pages or less in length. A party may file a document by electronic transmission only as authorized by the division or office. A notice of appeal, as provided in subpart 4, may not be filed by facsimile or electronic transmission. The filed facsimile or transmitted information has the same force and effect as the original. Where the quality or authenticity of a document is at issue, the division or the office shall require the original document to be filed. Where the division or office has not identified quality or authenticity as an issue and the document is filed by facsimile or electronic transmission, the party shall not also file the original document.

Statutory Authority: *MS s 14.51; 175.17; 175.171; 176.081; 176.155; 176.231; 176.285; 176.312; 176.361; 176.83*

History: *9 SR 333; 29 SR 1448*

Published Electronically: *October 11, 2013*